

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**CV 05**

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT  
MAR 18 2005  
BROOKLYN OFFICE

GERALD J. VOGT AND ELEANOR L. VOGT,  
On Behalf Of Themselves and All Others  
Similarly Situated,

Plaintiffs,

vs.

VEECO INSTRUMENTS, INC., EDWARD  
BRAUN, and JOHN REIN, JR.,

Defendants.

RELATED CASE AFFIRMATION

**WEXLER, J.**

**BOYF M.J.**

**JURY TRIAL DEMANDED**

I, AARON BRODY, hereby affirm the following:

1. I am an attorney with the law firm of Stull, Stull & Brody, counsel for plaintiff in the above-captioned action which asserts the dissemination of false and misleading financial information by the defendants to the investing public.
2. Upon information and belief, this action is related to the action captioned McIntosh v. Veeco Instruments, Inc., et al., U.S.D.C., E.D.N.Y., Civil Action No. 05-889, which also asserts similar claims based upon the dissemination of false and misleading financial information by the defendants to the investing public.
3. Accordingly, it is respectfully submitted that this action should be assigned as a related case to the Honorable Leonard D. Wexler.

Dated: March 17, 2005



Aaron Brody